

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

GARY GILLARD,

Plaintiff,

-against-

9:11-CV-1021 (LEK/ATB)

DEBORAH L. JARVIS; THOMAS  
LaVALLEY; THERESA KNAPP-DAVID,  
BRIAN FISCHER; and ROGER KINSEY,

Defendants.

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**ORDER**

This matter comes before the Court following a Report-Recommendation filed on November 6, 2012, by the Honorable Andrew T. Baxter, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and Northern District of New York Local Rule 72.3(d). Dkt. No. 34 (“Report-Recommendation”).

Within fourteen days after a party has been served with a copy of a magistrate judge’s report-recommendation, the party “may serve and file specific, written objections to the proposed findings and recommendations.” FED. R. CIV. P. 72(b); N.D.N.Y. L.R. 72.1(c). “If no objections are filed . . . reviewing courts should review a report and recommendation for clear error.” Edwards v. Fischer, 414 F. Supp. 2d 342, 346-47 (S.D.N.Y. 2006) (citations omitted).

On November 21, 2012, Plaintiff requested a sixty-day extension of the deadline to file objections. Dkt. No. 35. The Court granted this extension request. Dkt. No. 36. However, no objections have been raised in the allotted time with respect to Magistrate Judge Baxter’s Report-Recommendation. See generally Dkt. After a thorough review of the Report-Recommendation and the record, the Court has determined that the Report-Recommendation is not subject to attack for

clear error or manifest injustice.

Accordingly, it is hereby:

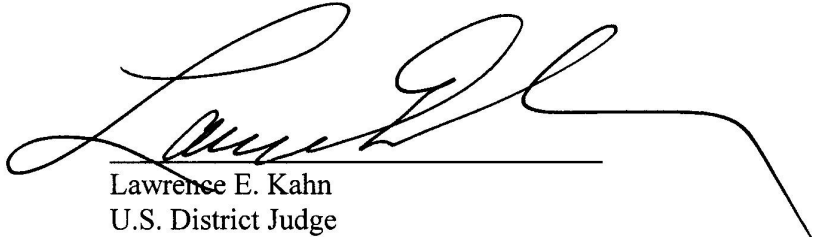
**ORDERED**, that the Report-Recommendation (Dkt. No. 34) is **APPROVED** and **ADOPTED in its entirety**; and it is further

**ORDERED**, that Defendants' Motion (Dkt. No. 23) to dismiss is **GRANTED in its entirety against all Defendants**; and it is further

**ORDERED**, that the Clerk of the Court serve a copy of this Order upon the parties to this action.

**IT IS SO ORDERED.**

DATED: February 07, 2013  
Albany, New York



Lawrence E. Kahn  
U.S. District Judge